

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NSIGHT, INC.,

Plaintiff,

v.

PEOPLESOFT, INC.,

Defendant

No. C 04-3836 MMC (MEJ)

**ORDER DENYING PLAINTIFF'S
MOTION FOR ORDER SHORTENING
TIME; CONTINUING HEARING ON
PLAINTIFF'S MOTION FOR LEAVE TO
AMEND COMPLAINT; CONTINUING
CASE MANAGEMENT CONFERENCE;
SETTING BRIEFING SCHEDULE**

Before the Court is plaintiff's Motion for an Order Shortening Time to Hear Its Motion for an Extension of Discovery Cutoff, filed May 20, 2006; plaintiff's Motion for an Extension of Time to Conduct Discovery, filed May 20, 2006 and noticed for hearing May 26, 2006; and plaintiff's Motion for Leave to Amend Complaint, filed February 28, 2006 and noticed for hearing May 26, 2006.

With respect to its Motion for an Extension of Time to Conduct Discovery, plaintiff has failed to show good cause exists to hear said motion on shortened time and has failed to submit a supporting declaration as required by the Civil Local Rules of this District. Accordingly, the Court hereby DENIES plaintiff's motion for an order shortening time and SETS the following briefing schedule:

1. Plaintiff shall file, no later than May 26, 2006, a declaration in support of the factual assertions made in its Motion for an Extension of Time to Conduct Discovery.

2. Defendant's opposition or other response shall be filed no later than June 9, 2006.

3. Plaintiff's reply, if any, shall be filed no later than June 16, 2006.

4. The hearing on the motion shall be conducted on June 30, 2006 at 9:00 a.m.

With respect to plaintiff's Motion for Leave to Amend Complaint, the Court hereby DIRECTS each party to file a supplemental brief with respect to such motion and CONTINUES the hearing thereon, as follows:

1. Plaintiff shall file, no later than June 9, 2006, a supplemental brief stating, with respect to each proposed amendment of, or addition to, the Third Amended Complaint, with the exception of the proposed changes to ¶ 20.f., the purpose of such amendment/addition. Additionally, plaintiff shall state whether any of the new facts it seeks to include were disclosed to defendant before the discovery cut-off date of December 30, 2005.


2. In response thereto, defendant shall file, no later than June 16, 2006, a supplemental opposition, and, further, shall explain the basis for its assertion that the proposed amendments would "significantly chang[e] the factual basis for the action." (See Def.'s Opp., filed May 5, 2006, at 1:26-27.)

3. The hearing on plaintiff's motion for leave to amend is continued to June 30, 2006 at 9:00 a.m.

In the interests of judicial economy, the Case Management Conference is hereby CONTINUED from May 26, 2006 to June 30, 2006, at 9:00 a.m. No further case management statement is required, absent a change in the relevant circumstances. If a further statement is necessary, such statement shall be filed no later than June 23, 2006 and shall consist of a single Joint Statement. If necessary, the parties may include therein separate sections setting forth their respective positions.

IT IS SO ORDERED.

Dated: May 23, 2006


MAXINE M. CHESNEY
United States District Judge